

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

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**THIS DOCUMENT RELATES TO THE FOLLOWING CASES:**

**ALL BOSTON SCIENTIFIC CASES PENDING IN WAVE 13 IN MDL 2327**

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**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION OF  
DR. STEPHEN BADYLAK**

For all Boston Scientific Corporation cases pending in Wave 13 of the ETHICON, INC. MDL 2327 (Case No. 2:12-md-2327), Plaintiffs identified on Exhibit “A” hereby adopt and incorporate by reference the Motion and Reply to Exclude Dr. Stephen Badylak from Boston Scientific Wave 3. *See* Boston Scientific MDL 2326 ECF No. 4826 (Mot. and Memo.); *see also* Boston Scientific MDL 2326 ECF No. 5033 (Reply). Plaintiffs respectfully request that the Court exclude Dr. Badylak’s testimony for the reasons previously set forth.

DATED: December 13, 2019

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

By: /s/ W. Michael Moreland  
W. Michael Moreland

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